AMENDMENTS TO THE DRAWINGS

The attached "Replacement Sheet" of drawings includes changes to

Figure 1. The attached "Replacement Sheet," which includes Figures 1 and 2,

replaces the original sheet including Figures 1 and 2.

Attachment: Replacement Sheet

REMARKS

Reconsideration of the present application is requested. Claims 1-27 remain pending. Claims 1, 8-10, 26 and 27 and Fig 1 have been amended. Claims 1, 8, 26 and 27 are independent claims.

REJECTION UNDER 35 U.S.C. § 101

The Examiner rejects claims 8 and 27 under 35 U.S.C. § 101 because the "means for," as recited in these claims is allegedly directed to "software, *per se.*" *Office Action*, 2. Although Applicants do not necessarily agree with the Examiner, in an effort to expedite prosecution of the present application, Applicants have amended claims 8-10 and 27 to remove the "means for," language from claim 8 and 27. Withdrawal of this rejection is requested.

REJECTIONS UNDER 35 U.S.C. § 112, SECOND PARAGRAPH

The Examiner rejects claims 1, 8, 26 and 27 under 35 U.S.C. § 112, second paragraph because "the automatic retrieval," allegedly lacks antecedent basis. Applicants have amended these claims taking into account the Examiner's comments. Withdrawal of this rejection is requested.

The Examiner further rejects claims 1, 8, 26 and 27 under 35 U.S.C. § 112, second paragraph as being incomplete for omitting essential steps. Particularly, the Examiner states:

> ...while the method of claim providing the use of automatic retrieval of engineering data from an automation system with a multiplicity of individual automation objects as set forth in the preamble of the claim, however, the body of the claim does not appear to actually support the preamble by including a step or steps which accomplish that act. *Office Action*, p. 3.

According to the method of claim 1, automatic retrieval of engineering data may be achieved in that the automation object addresses the type of a corresponding engineering object to create a new engineering object or representative. A reference to the automation object is then entered in the newly created representative. Based on the reference, engineering information is read out from the automation object into the new representative of an engineering object.

Although Applicants believe that claims 1, 8, 26 and 27 were previously in accordance with 35 U.S.C. § 112, second paragraph, in an effort to expedite prosecution of the present application, Applicants have amended claims 1, 8, 26 and 27 to clarify that the engineering data is read out from the automation object into the representative. Support for this amendment may be found, for example, paragraph [0011] of Applicants' Specification.

DRAWINGS

The Examiner objects to the drawings because FIG. 1 contains a label in a language other than English. Applicants have amended FIG. 1 taking into account the Examiner's comments. Withdrawal of this rejection is requested.

PRIOR ART REJECTIONS

REJECTIONS UNDER 35 U.S.C. § 103(A)

Claims 1-27 stand rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over U.S. Patent No. 6,119,125 ("Gloudeman") in view of U.S. Patent No. 6,059,838 ("Fraley"). This rejection is respectfully traversed.

The Examiner submits that "each object in the system is identified by an access key object," relying upon col. 19, lines 38-45 of Gloudeman to allegedly teaching "*supplying, via the objects, an identifying designation of a type of respective representative to the engineering system,*" as set forth in claim 1, for example. *Office Action*, p. 5. Applicants disagree.

According to column 19, lines 38-45 of Gloudeman:

> ...each Access Key Object assigned to an operator dictates access privileges to and functional capabilities over a predefined collection of objects when access is attempted from the one <u>or more user interfaces identified in the access key object. One or more keys can be assigned to each operator object</u>. The creation, modification and deletion of these objects may only be performed by the site administrator(s)... (<u>emphasis added</u>)

From the above cited portion of Gloudeman, even assuming *arguendo* that the key could be regarded as an identifying designation (which Applicants do not admit and respectfully submit that they cannot), the purpose of an Access Key is to <u>provide access to the respective object</u>, but <u>not</u> to identify the object. Consequently, Gloudeman fails to teach or suggest, "*supplying, via the objects, an identifying designation of a type of respective representative to the engineering system,*" as required by claim 1.

Furthermore, the Examiner relies upon "the objects are read out by using Read and Signup method: col. 6, lines 55-65 [of Gloudeman]," to allegedly teach "*having, based upon the reference, each representative read out engineering information from the object,*" as set forth in claim 1. *Office Action* at 5. Applicants disagree.

Gloudeman arguably discloses communication between different objects; however, in Gloudeman engineering information is <u>not</u> read out <u>from</u> the automation system object by each representative in the engineering system. *See, e.g., Gloudeman,* Col. 6, ll. 55-65. In further support of the Examiner's conclusion, the Examiner refers to the following passage in Gloudeman, which states:

> ...the Trend object includes the specification of the data collection sampling method, sample interval, the data buffer size, the storage method, the trend buffer upload interval. Prior to buffer overflow, the Trend object <u>uploads</u> its data to designated intermediate <u>storage devices</u>. Typically the user is unaware of the upload of trend data to archived PC files unless file full alarms or data routing problems are encountered... (<u>emphasis added</u>) *Id.* at col. 27, ll. 8-14.

From the above passage it is clear that, while Gloudeman arguably uploads data, the <u>upload concerns trend data</u>, that is, data from the running automation system such as alarms or failures, but <u>not</u> engineering information.

The Examiner correctly recognizes that Gloudeman fails to teach or suggest *"entering a reference to the object,"* as set forth in claim 1, and relies upon Fraley to allegedly teach this feature. However, Applicants assert that even assuming *arguendo* that Fraley could be combined with Gloudeman, Fraley still fails to makeup for the deficiencies of Gloudeman with respect to claim 1 as described above, or admitted by the Examiner.

Fraley arguably teaches creating, manipulating and modifying objects. However, Fraley does <u>not</u> teach "*entering a reference to the object*," <u>for each representative created, via the engineering system</u>, as required by claim 1.

Moreover, neither Gloudeman nor Fraley deal with automatic retrieval of engineering data from an automation system, and thus, taken alone or in combination, neither renders claim 1 obvious.

Claims 8, 26 and 27 are allowable for at least reasons somewhat similar to those set forth above with regard to claim 1. However, these independent claims should be interpreted solely by the limitations present therein. Dependent claims 2-7 and 9-25 are allowable at least by virtue of their dependency on independent claims 1 and 8.

CONCLUSION

In view of above remarks, reconsideration of the outstanding rejection and allowance of the pending claims is respectfully requested.

If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone Andrew M. Waxman, Reg. No. 56,007, at the number of the undersigned listed below.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 08-0750 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

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